

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

THE CHAMBERLAIN GROUP LLC  
Plaintiff,

v.

OVERHEAD DOOR CORPORATION and  
GMI HOLDINGS INC.,

Defendants.

Case No. 2:21-cv-0084-JRG

**JURY TRIAL DEMANDED**

**JOINT NOTICE REGARDING CIV. NO. 2:22-CV-44**

Per the Court’s direction during the February 23, 2022 Status Conference, Plaintiff The Chamberlain Group, LLC (“Chamberlain”) and Defendants Overhead Door Corporation and GMI Holdings Inc. (“Overhead Door”) (collectively, the “Parties”) met and conferred via email on February 23 and 24, 2022 regarding the companion case, Civ. No. 2:22-cv-44. The parties agree that:

- Defendants’ counterclaims of invalidity and non-infringement should be included in the above-captioned case and tried on March 7, 2022.
- Defendants’ counterclaim of infringement of U.S. Patent No. 9,869,120 should be severed into a separate cause of action.
- All pending motions in Civ. No. 2:22-cv-44 should be denied as moot.

Date: February 25, 2022

Respectfully submitted,

/s/ Benjamin C. Elacqua

By: Ruffin Cordell  
cordell@fr.com  
Texas Bar Number 04820550  
Daniel Gopenko

Virginia Bar Number 83932  
[gopenko@fr.com](mailto:gopenko@fr.com)  
**FISH & RICHARDSON P.C.**  
1000 Maine Ave SW, Suite 1000  
Washington, DC 20024  
Telephone: 202-783-5070  
Facsimile: 202-783-2331

Benjamin C. Elacqua  
Texas Bar Number 24055443  
[elacqua@fr.com](mailto:elacqua@fr.com)  
Kathryn Quisenberry  
Texas Bar Number 24105639  
[quisenberry@fr.com](mailto:quisenberry@fr.com)  
**FISH & RICHARDSON P.C.**  
1221 McKinney Street, Suite 2800  
Houston, TX 77010  
Telephone: 713-654-5300  
Facsimile: 713-652-0109

Aamir A. Kazi  
Georgia Bar Number 104235  
[kazi@fr.com](mailto:kazi@fr.com)  
**FISH & RICHARDSON P.C.**  
1180 Peachtree Street, 21<sup>st</sup> Floor  
Atlanta, GA 30309  
Telephone: (404) 724-2811

Jared A. Smith (*Pro Hac Vice*)  
California Bar Number 306576  
[jasmith@fr.com](mailto:jasmith@fr.com)  
**FISH & RICHARDSON P.C.**  
12860 El Camino Real, Suite 400  
San Diego, CA 92130  
Telephone: (858) 678-5070

Michael R. Rueckheim  
(Texas State Bar No. 24081129)  
[MRueckheim@winston.com](mailto:MRueckheim@winston.com)  
Eimeric Reig-Plessis  
(admitted Pro Hac Vice)  
[EReigPlessis@winston.com](mailto:EReigPlessis@winston.com)  
**WINSTON & STRAWN LLP**  
275 Middlefield Road, Suite 205 Menlo  
Park, CA 94025 Telephone: (650) 858-6500  
Facsimile: (650) 858-6559

M Brett Johnson  
(Texas Bar No. 00790975)  
MBJohnson@winston.com  
**WINSTON & STRAWN LLP**  
2121 N. Pearl Street, Ste. 900  
Dallas, TX 75201  
Telephone: (214) 453-6416  
Facsimile: (214) 453-6400

James Winn  
(admitted Pro Hac Vice)  
JWinn@winston.com  
**WINSTON & STRAWN LLP**  
35 W. Wacker Drive  
Chicago, IL 60601-9703  
Telephone: (312) 558-5600  
Facsimile: (312) 558-5700

Dillon S. Kellerman  
(admitted Pro Hac Vice)  
DKellerman@winston.com  
**WINSTON & STRAWN LLP**  
101 California Street, 35th Floor  
San Francisco, CA 94111  
Telephone: (415) 591-1000  
Facsimile: (415) 591-1400

Melissa Smith  
Texas Bar Number 24001351  
melissa@gillamsmithlaw.com  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: 903-934-8450  
Facsimile: 903-934-9257

**COUNSEL FOR PLAINTIFF THE  
CHAMBERLAIN GROUP LLC**

/s/ David C. Callahan  
David K. Callahan  
IL Bar No. 6206671  
Kenneth G. Schuler  
IL Bar No. 6226036  
Marc N. Zubick  
IL Bar No. 6308239

Raj Patel  
IL Bar No. 6321274  
**LATHAM & WATKINS LLP**  
330 N. Wabash Avenue, Suite 2800  
Chicago, IL 60611  
Telephone: (312) 876-7700  
Fax: (312) 993-9767  
[kenneth.schuler@lw.com](mailto:kenneth.schuler@lw.com)  
[david.callahan@lw.com](mailto:david.callahan@lw.com)  
[marc.zubick@lw.com](mailto:marc.zubick@lw.com)  
[raj.patel@lw.com](mailto:raj.patel@lw.com)

S. Giri Pathmanaban  
TX Bar No. 24074865  
**LATHAM & WATKINS LLP**  
140 Scott Drive  
Menlo Park, CA 94025  
Telephone: (650) 328-4600  
Fax: (650) 463-2600  
[giri.pathmanaban@lw.com](mailto:giri.pathmanaban@lw.com)

Susan Y. Tull  
D.C. Bar No. 992644  
Gabriel K. Bell  
D.C. Bar No. 987112  
**LATHAM & WATKINS LLP**  
555 Eleventh Street, NW, Suite 1000  
Washington, D.C. 20004-1304  
Telephone: (202) 637-2200  
Fax: (202) 637-2201  
[susan.tull@lw.com](mailto:susan.tull@lw.com)  
[gabriel.bell@lw.com](mailto:gabriel.bell@lw.com)

Bradley A. Hyde  
CA Bar No. 301145  
**LATHAM & WATKINS LLP**  
650 Town Center Dr., 20<sup>th</sup> Floor  
Costa Mesa, CA 92843  
Telephone: (714) 755-8041  
Fax: (714) 755-8290  
[bradley.hyde@lw.com](mailto:bradley.hyde@lw.com)

Stephen A. Maniscalco  
NY Bar No. 5387063  
**LATHAM & WATKINS LLP**  
1271 Avenue of the Americas

New York, NY 10020  
Telephone: (212) 906-1200  
Fax: (212) 751-4864  
stephen.maniscalco@lw.com

Michael C. Smith  
TX Bar No. 18650410  
**SCHEEF & STONE, LLP**  
113 East Austin Street  
Marshall, TX 75670  
Telephone: (903) 938-8900  
[michael.smith@solidcounsel.com](mailto:michael.smith@solidcounsel.com)  
Scott W. Breedlove  
TX Bar No. 00790361  
Nathan Cox  
TX Bar No. 24105751  
**CARTER ARNETT PLLC**  
8150 N. Central Expy, 5th Floor  
Dallas, TX 75206  
Telephone (214) 550-8188  
Fax: (214) 550-8185  
[sbreadlove@carterarnett.com](mailto:sbreadlove@carterarnett.com)  
[ncox@carterarnett.com](mailto:ncox@carterarnett.com)

**ATTORNEYS FOR DEFENDANTS  
OVERHEAD DOOR CORPORATION  
AND GMI HOLDINGS INC.**

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for the parties met and conferred via email on February 23 and 24, 2022 and are in agreement with the content of the Notice.

*/s/ Benjamin C. Elacqua* \_\_\_\_\_  
Benjamin C. Elacqua

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all counsel of record via ECF on this 25<sup>th</sup> day of February, 2022.

*/s/ Benjamin C. Elacqua* \_\_\_\_\_  
Benjamin C. Elacqua